



AT # \$/240
PATENT
Docket No.: FOV-053

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 2823

Examiner: Coleman, William D.

Serial No.: 09/884,863

Filed: June 18, 2001

In re Application of: Richard B. Merrill

For: VERTICAL COLOR FILTER DETECTOR GROUP AND ARRAY

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail, in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 8/19/03.

Signed

Krista Thompson
Krista Thompson

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Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action dated May 23, 2003 in the above-identified application, enclosed please find the following:

1. Response to Final Office Action/Amendment;
2. Check in the amount of \$252.00 calculated as follows for a **large** entity:
Independent claims in excess of 3: 3 at \$84.00= \$252.00
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In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, the Assistant Commissioner is hereby authorized to charge or credit the difference to our Deposit Account No. 50-0612. A duplicate of this transmittal is enclosed.

Dated:

August 19, 2003

Respectfully submitted,
Sierra Patent Group, Ltd.

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Signed Krista Thompson
Krista Thompson

AMENDMENT AND RESPONSE TO OFFICE ACTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action dated May 23, 2003, kindly amend the above-identified application as follows.

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INTRODUCTORY COMMENTS

This responds to the office action mailed on May 23, 2003. Claims 1-29 are pending in the present application. Claims 13-29 have been allowed. Claims 1-3, 5, 6, and 9 are rejected. Claims 4, 7, and 10-12 are objected to. Reconsideration and allowance of the claims is respectfully requested in view of the following remarks.

Claims 1, 3, and 5 have been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,318,115 to Yoshikawa et al. (Yoshikawa). Claims 2, 6, 8 and 9 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikawa in view of Figure 1 of the patent application.